

Message Text

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PAGE 01 STATE 145239
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 EB-08 AID-05 CEQ-01 CIAE-00
SOE-02 COME-00 DODE-00 EPA-04 INR-10 IO-14 NSF-02
NSC-05 NSAE-00 PM-05 ICA-20 OES-07 SS-15 SP-02
DOE-15 INT-05 /136 R

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EUR/CAN-W.GARLAND

-----115142 081507Z /53

R 081422Z JUN 78
FM SECSTATE WASHDC
TO AMEMBASSY OTTAWA

UNCLAS STATE 145239

E.O. 11652:N/A

TAGS:ENRG, PGOV, SENV, CA

SUBJECT:EXCHANGE OF NOTIFICATIONS ON PIPELINE AGREEMENT

1. PARAGRAPH 15 OF THE AGREEMENT ON PRINCIPLES APPLICABLE TO A NORTHERN NATURAL GAS PIPELINE PROVIDES THAT THE PROVISIONS OF THE AGREEMENT REQUIRING LEGISLATIVE ACTION BECOME EFFECTIVE UPON EXCHANGE OF NOTIFICATION THAT SUCH LEGISLATIVE ACTION HAS BEEN COMPLETED. IN THE UNITED STATES, THE REQUIRED LEGISLATIVE ACTION WAS CONGRESSIONAL APPROVAL OF THE PRESIDENT'S DECISION AND RECOMMENDATION UNDER THE ALASKA NATURAL GAS TRANSPORTATION ACT. IN CANADA THE LEGISLATIVE ACTION WOULD BE FINAL ENACTMENT OF BILL C-25, WHICH PASSED THE HOUSE OF COMMONS ON APRIL 4.

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PAGE 02 STATE 145239

2. UPON EMBASSY'S CONFIRMATION THAT BILL C-25 HAS BEEN FINALLY ENACTED AND THAT ALL NECESSARY CANADIAN LEGISLATIVE ACTION HAS THEREFORE BEEN COMPLETED, EMBASSY SHOULD COORDINATE AND CONCLUDE WITH GOC THE EXCHANGE OF NOTIFICATIONS REQUIRED BY PARAGRAPH 15 OF THE PIPELINE AGREEMENT.

3. SUGGESTED TEXT FOR U.S. NOTE INITIATING THE EXCHANGE
FOLLOWS:

"I HAVE THE HONOR TO REFER TO PARAGRAPH 25 OF THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND CANADA ON PRINCIPLES APPLICABLE TO A NORTHERN NATURAL GAS PIPELINE WHICH PROVIDES, IN RELEVANT PART, THAT 'THOSE PROVISIONS OF THE AGREEMENT REQUIRING LEGISLATIVE ACTION WILL BECOME EFFECTIVE UPON EXCHANGE OF NOTIFICATION THAT SUCH LEGISLATIVE ACTION HAS BEEN COMPLETED'.

"IN ACCORDANCE WITH PARAGRAPH 15, I WISH TO NOTIFY THE GOVERNMENT OF CANADA THAT THE REQUISITE LEGISLATIVE ACTION TO GIVE EFFECT TO ALL PROVISIONS OF THE AGREEMENT HAS BEEN COMPLETED ON THE PART OF THE UNITED STATES."

4. SUGGESTED CANADIAN REPLY FOLLOWS:

"I HAVE THE HONOR TO REFER TO YOUR NOTE OF TODAY'S DATE, GIVING NOTIFICATION OF THE COMPLETION OF LEGISLATIVE ACTION IN THE UNITED STATES RELATING TO THE AGREEMENT BETWEEN CANADA AND THE UNITED STATES OF AMERICA ON PRINCIPLES APPLICABLE TO A NORTHERN NATURAL GAS PIPELINE.

"I HAVE THE FURTHER HONOR TO NOTIFY YOU THAT THE LEGISLA-
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PAGE 03 STATE 145239

TIVE ACTION REQUIRED IN CANADA TO GIVE EFFECT TO ALL PROVISIONS OF THE AGREEMENT HAS BEEN COMPLETED. ACCORDINGLY, I NOTE THAT THE AGREEMENT SHALL FULLY ENTER INTO FORCE UPON TODAY'S DATE IN ACCORDANCE WITH PARAGRAPH 15."

5. EMBASSY REQUESTED TO INFORM DEPARTMENT UPON COMPLETION OF EXCHANGE OF NOTIFICATIONS. VANCE

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TAGS: ENRG, PGOV, SENV, CA
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